

IT IS SO ORDERED.

Dated: 03:49 PM July 22 2010



IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

In re:

David M. Whitman,

Debtor.

Case No. 10-52595-MSS

Chief Judge Marilyn Shea-Stonum

Chapter 13

**Order Granting Motion Of FirstMerit
Bank, N.A., For Relief From Stay**

3681 Manchester Road
Akron, Ohio 44319

This matter came before the Court on the *Motion for Relief from Stay* (the “**Motion**”) filed by FirstMerit Bank, N.A. (“**FirstMerit**”). Movant has alleged that good cause for granting the Motion exists, and that Debtor(s), counsel for the Debtor(s), the Chapter 13 Trustee, and all other necessary parties were served with the Motion, and with notice of the hearing date on the Motion. No party filed a response or otherwise appeared in opposition to the Motion, or all responses have been withdrawn. For these reasons, it is appropriate to grant the relief requested.

IT IS, THEREFORE, ORDERED that the Motion is granted. The automatic stay

imposed by Section 362 of the Bankruptcy Code is terminated with respect to the Movant, its successors, and assigns.

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall discontinue all payments to Movant on its claim under the Chapter 13 Plan filed by the Debtor(s). Movant is directed to file a report of sale promptly following liquidation of the property 3681 Manchester Road, Akron, Ohio 44319 (the “**Collateral**”) if any excess proceeds are received. Should Movant seek to file any unsecured deficiency claim, Movant shall do so no later than 90 days after this Order is entered. If the Collateral has not been liquidated, the deficiency claim is to be estimated.

IT IS SO ORDERED.

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Submitted by:

s/ Patrick T. Lewis

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Interested Party

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